

Virginia League of Social Services Executives

Legislative Agenda

Priorities and Policy Statements For Local Social Services Programs

For the 2005 Session of the Virginia General Assembly

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**Virginia League of Social Services Executives
2005 General Assembly Budget and Legislative Priorities**

Legislative Agenda: Priorities and Policy Statements

**For Local Social Services Programs,
For the 2005 Session of the Virginia General Assembly**

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OVERVIEW

Our Commitment

The Virginia League of Social Services Executives will work with the Administration and General Assembly to make sure that the local departments are making the maximum use of state, local and federal funds to administer the programs in an efficient manner, to meet the delivery of mandated services.

Virginia League of Social Services Executives System Priorities

1. Increase public social service impact on the Commonwealth's economic robustness.
2. Encourage localities to operate human services program more efficiently and effectively.
3. Increase the state financial support for local social services.

Guiding Principles Budget and Legislation Actions on Local Social Services

Safety Net: The state should assure protection of the Commonwealth's safety net for the State's most vulnerable citizens.

Infrastructure: The state should enable local departments of social services infrastructure addressing Information Technology sufficient for the delivery of benefits and services.

Commitments: The state should honor funding commitments to local government for social services and programs.

Prevention: The state should make provisions for prevention programs that will serve our children and families to provide safety, stability and permanency.

TANF: The state should provide funding for mandated programs to permit the TANF Block Grant to support those expenditures that enable cash assistance, employment, child care and fiscal impacts of TANF Reauthorization.

Non Partisan Policy

**The Virginia League of Social Services Executives
By organizational policy shall present legislative
policy statement that furthers the goals of providing
services to our customers and clients.**

**The League Does Not Support or Oppose
any political Party or Candidate or a political
platform.**

This policy is non-partisanship is a source of strength to the League and is zealously guarded. In order to protect the League's nonpartisan reputation, it is important that all League and Affiliate members and the public understand:

1. The League takes a position only on governmental public policy issues and not on candidates for elected governmental office, or political party issue platforms.
2. The League is nonpartisan, not bipartisan. Bipartisan means representing both parties. The League is not a member of any party or political affiliation.
3. Every League member must take the responsibility for clearly differentiating between personal opinions and League positions.

Intergovernmental Cooperation Key to the Development of the League Legislative Program

The Leadership and Membership of the Virginia League of Social Services Executives prepares a League Legislative Program for each session of the Virginia General Assembly. The League Legislative Program is prepared in consultation with the **Virginia Association of Counties (VACo)** and the **Virginia Municipal League (VML)**. League Legislative Positions and Statements are consistent with the legislative goals, statements and positions of both VACo and VML. We appreciate the cooperation and spirit by which VACo and VML work with the League in the development of our League legislative program, priorities, and policy statements.

Virginia League of Social Services Executives

Virginia Social Services System Strategic Plan for State Fiscal Year 2004-2006

Goal 1 - Enhance the independence, well-being and personal responsibility of citizens

- 1.1 Promote self-sufficiency*
- 1.2 Focus on prevention and early intervention*
- 1.3 Improve and increase access to high quality services and support*

Goal 2 - Establish a performance management system

- 2.1 Manage services and systems based on performance*

Goal 3 - Improve business productivity through effective automation

- 3.1 Optimize business processes*
- 3.2 Improve service delivery to meet the needs of customers*
- 3.3 Increase efficiency of IT solutions to meet the needs of stakeholders and users*

Goal 4 - Deliver high-quality customer-focused services

- 4.1 Improve customer awareness of and satisfaction with products and services offered*

Goal 5 - Cultivate a diverse workforce capable of accomplishing the system's mission

- 5.1 Attract and retain an exceptional and diverse workforce*

Goal 6 - Optimize and maximize resources

- 6.1 Expand resource pool*
- 6.2 Reduce State Administrative Cost Burden*

Goal 7 - Become a learning organization capable of accomplishing the system's mission

- 7.1 Create a culture of continuous learning and employee development within the Virginia Social Services System (VSSS)*
- 7.2 Create a competency focused organization which has competencies at all levels linked to the Virginia Social Services System mission*
- 7.3 Establish technology platform to address the training and development needs of the workforce*
- 7.4 Continuously monitor return on investment for learning activities*

**Virginia League of Social Services Executives
2005 General Assembly Budget and Legislative Priorities**

PRIORITY FOR CLIENT SERVICE

Workforce Training and Development Funding for TANF Recipients

The Virginia League of Social Services Executives strongly supports that the current funding and program responsibility for Temporary Assistance to Needy Families (TANF) Employment Services, including the Virginia Initiative for Employment not Welfare (VIEW) program, should remain with the Virginia Department of Social Services, continuing to be administered in the local Department of Social Services. This program has most successfully served TANF and potential TANF recipients, assisting them in becoming and remaining employed. The local departments of social services workforce development initiatives and programs are available through a high functioning partner driven collaboration to achieve more effective outcomes.

The following outcomes and characteristics of the VIEW program over the last few years support this position:

- Virginia is ranked 4th in the country for high performance and success in the workforce
- The Virginia Department of Social Services was awarded a TANF Bonus in the amount of \$15,828,180 for their success in Employment Services in 2001 and 2002.
- Local Department of Social Services is present in every locality in the Commonwealth providing access to TANF Employment Programs
- LDSS works with all participants regardless of their multiple barriers
- LDSS provides a whole family focus providing a bridge from welfare to work
- VIEW is a Work First Program that provides, Job Readiness, Job Development, Education guidance and workforce development.
- Successful implementation of soon-to-be federally mandated TANF Universal Engagement will increase the number of mandatory participants. Achieving success in this effort will be most likely to occur in an experienced organization.

PROPOSED BUDGET AMENDMENTS

Local System Infrastructure

Cost of Living for Local Social Services Employees

The Virginia League of Social Services requests that the local social service employees receive cost of living adjustments in line with those received by state employees, to cover the state share of local department of social services compensation.

Classification Plan

The Virginia League of Social Services requests the full funding of the state share of the local social service employee classification plan.

PROPOSED LEGISLATION

Workforce Training and Development for TANF Recipients

The Virginia League of Social Services Executives supports funding for the Temporary Assistance for Needy Families (TANF) employment services, the Virginia Initiative for Employment not Welfare (VIEW). Such funding should flow through the Virginia Department of Social Services and the program should continue to be administered by the local departments of social services.

Adult Services

Amend Section 63.2 – 1606 B. to delete “immediately upon his determination that there is reason to suspect abuse, neglect or exploitation” and add “forthwith.”

Policy Statements

Services for Customers

Adult and Child Protective Services

Investigations in state facilities.

- Local social services departments are responsible for investigating adult and child abuse in state facilities and should be allocated additional resources to defray the costs of furnishing services within these facilities, whose residents come from across Virginia.

Adult Protective Services

- ***Funding of Adult Protective Services (APS).*** An additional base budget appropriation for Adult Protective Services is requested to permit prompt investigation of reports of abuse, neglect, or exploitation of the elderly or persons with disabilities, and to provide services, when needed, when responding to requests for investigations of the need for Adult Services.
- **Home-Based Adult Care Funding**
Additional state General Funds are requested to fully fund the current local Departments of Social Services' waiting lists for home-based and adult services, reducing the necessity of residential care. The state should revise Medicaid's requirements to allow for greater use and increased reimbursements for in-home care. In-home care should be considered a viable and economical alternative to the current Medicaid emphasis on institutional care.

Auxiliary Grant Program

- The state should assume full responsibility for the cost of the auxiliary grant program for disabled or elderly persons.
- *The state should raise the individual auxiliary grant level per person to \$1,300.*

Policy Statements

Services for Customers

Child Protective Services

- **Funding for Child Protective Services (CPS).** An additional base budget appropriation is requested to provide additional social workers and provide services under Virginia's Child Protective Services statutes. State funding is needed to ensure adequate, high-quality case work, child services, foster care services, therapeutic services, and preventive services to families experiencing child abuse or neglect. In addition, local social services departments should have sufficient state funds made available to secure legal representation in cases involving issues of child abuse or neglect.
- **Child Protective Services Standards of Proof**
The Virginia League of Social Services Executives supports maintaining the current standard of proof, preponderance of the evidence, for a local department of social services to use in determining whether a reported case of a child abuse or neglect is founded.
- **Out of Home Child Protective Services Investigations.** Investigations of Child Protective Services. Complaints should remain with the Virginia Department of Social Services to be conducted by local departments of social services. This model has proved the best approach to provide services to the children and families in need of services to deal with child abuse and neglect.

Child Day Care

- An additional base budget appropriation for child day care services in the child day care fee-system is requested to permit families to move from dependency to self-sufficiency.

Child & Family Services, Child & Family Services Review, Program Improvement Plan

- Support the VA Department of Social Services requests for funding new positions in local departments of social services and the central office to cover the cost of activities required as a result of the federal Child and Family Services Review, on-going federal IV-E eligibility reviews, and the need to accelerate completion of the federally mandated Statewide Automated Child Welfare Information System (SACWIS).

Policy Statements

Services for Customers

Foster Care & Adoption

- An additional base budget appropriation is requested to meet the requirements of the Federal Family and Child Services Act requirement to provide services to children and families which provide safety, stability and permanency, and the rising case load requirements of the Comprehensive Services Act.
- The state should make provisions for prevention programs that will serve our children and families to provide safety, stability and permanency.

Foster Care – Schooling

Foster Care Youth should have educational rights, such as:

- (1) an educational placement that is in the child's best interest, including continued enrollment in the school of origin where that is best even if the child is now living in a different school division,
- (2) immediate enrollment in a new school if that is best, even if all the standard transfer records are not immediately available,
- (3) partial credit for work completed in the school of origin, if transfer to a new school is best, and
- (4) transportation to school, even if the placement is in a different school division from the child's current residence.

To facilitate all of this, each local school division must designate a local liaison and the state must designate a coordinator for education of foster care children and youth.

- Policy Statements

Services for Customers

Financial Assistance Services

- Additional state general funds are requested to address the rising caseload to efficiently and effectively determine benefits for Food Stamps, Medicaid, TANF, foster care, and child protective services.

Fraud Prevention and Detection

- An additional base budget appropriation is requested to provide for local departments of social services to prevent fraud and detect recipients who commit fraud in social services programs.

Guardianship.

- Funding should be provided to a guardian program in each locality, guardianship monitoring fees, Medicaid waiver services, adult foster care programs, and employment services for adults.

Policy Statements

Services for Customers

Kinship Care

- A Kinship Care Program should be developed to provide full time care, nurturing and protecting children by relatives, members of their tribes or clans, godparents, stepparents or any adult who has a kinship bond with a child. TANF funds should be used to provide financial and support services equal to that of children in foster care.

Long-term Care

- The Secretary of Health and Human Resources should establish a task force to develop a plan for the delivery and funding of long-term care and aging services in communities; the plan should include the projected future cost to state and local governments for implementation of the plan.

Prevention Program

- Localities should be provided maximum flexibility in use of available funding to provide prevention services so that such services are more likely to be available everywhere in the state.

Workforce Development

- Administration of the Temporary Assistance to Needy Families (TANF) Employment Services program should remain with Virginia Department of Social Services to be administered by local departments of social services. This model has proven to best meet the needs of Virginia's most vulnerable citizens and contribute to the Commonwealth's employment and economic development efforts.

Policy Statements

Management of Services for Customers

State Share of Social Services Costs.

The state should meet its policy responsibility by restoring its funding ratio for local welfare administrative costs, in which the State pays 80 percent and the localities pay 20 percent. In particular, the state should assume 80 percent of the share of costs for the Child Protective Services (CPS) and the Foster Care Program and take responsibility for funding and training local CPS and Foster Care workers. The Virginia League of Social Services Executives opposes any changes to funding formula that would increase the local share for services or programs.

Cost Shifting and Unfunded Mandates.

The Virginia League of Social Services Executives opposes the imposition of new federal or state requirements without funding, and the shifting of costs to local governments through either continued under-funding of service needs or the reduction of existing state funding for continuing needs. Current and potential cost-shifts and unfunded mandates include:

- Family Access to Medical Insurance Security Plan (FAMIS). The state should reimburse local government for the cost of FAMIS applications. Inadequate Medicaid reimbursement to local departments of social services to process FAMIS applications is a financial burden.
- Medicaid Waiver Services. Inadequate Medicaid rates for Mental Retardation, waiver services which lead to service reductions while discouraging development of new services for consumers with severe mental retardation seriously, affect cost in the CSA (Comprehensive Services Act) program.
- Medicaid local match. *The League placing a state Medicaid local match for the provision of Medicaid services.*

New Entitlements.

The Virginia League of Social Services Executives opposes creating new federal or state entitlement programs that require local government funding.

Policy Statements

The Comprehensive Services Act Program A State/Local General Government Program

CSA Coordination

The Secretary of Health and Human Resources, the State Executive Council and state agencies that have CSA expenditures must work together to establish procedures and policies that are consistent, least restrictive, and continue to allow maximum flexibility for local government.

CSA Data Collection

- The state should reimburse local government for the cost of collecting and processing of data for use by the state Office of Comprehensive Services. This is a new mandate and has not been funded by the administration. An additional base budget appropriation is requested to enable for local government to fully fund CSA data collection.
- *Data elements should be consistent for three years before any changes, outcome measurers or additional elements are required.*

CSA Funding

The costs of the Comprehensive Services Act (CSA) for at-risk youth and their families should be fully funded in the state's base budget. The current distinctions between base and supplemental budgets should be eliminated. Instead, the Office of Comprehensive Services should develop allocations based on realistic anticipated level of need, and supplemental funding should be reserved for extraordinary circumstances.

- The CSA funding formula should include an incentive component that rewards those local governments implementing innovative and cost-effective alternatives to residential placement.
- CSA is a complex program that imposes an administrative burden on the cities and counties that administer the program on behalf of the state. VML and VACo support greater administrative funding from the state to support the program's operations, including data collection and reporting, at the local level.
- Local funds should not be used to purchase services from State facilities.

Policy Statements (continued)

The Comprehensive Services Act Program A State/Local General Government Program

CSA Training for local CSA staff

The Secretary of Health and Human Resources and the State Executive Council must ensure that the \$50,000 in state funding appropriated each year to CSA for training purposes is used for such.

CPMT members, CSA coordinators, and FAPT members would benefit from such programs.

CSA Definition of mandated population

- *The League supports the current law and policy on those children and families eligible for CSA services.*
- The League opposes any expansion of the definition of mandated populations.

CSA Placements for hardest to treat children

As the state decreases facility capacity to serve children, it should stop shifting additional costs to local governments and pay the cost of placements for long-term or hard-to-treat children who in the past received treatment in state facilities.

CSA Medicaid

Local government through their local department of social services should be given the option of using Medicaid funds for case management. The state and federal governments should fully fund the cost of any child eligible for Medicaid funds for inpatient and outpatient mental health services, therapeutic foster care or residential treatment. There should be no local share of costs of Medicaid services for CSA children.

CSA Reimbursement

State Executive Council should terminate its practices of the withholding of entire reimbursements for minor technical infractions.

CSA Service coordination

When making significant changes to other human services and educational program and funding that serve youth, the state should fully assess the impact of those changes on the CSA program. State and local governments should review the impact of special education and foster care programs policies and expenditures on the CSA program.

CSA Service capacity

The state should assess the availability of and access to services and undertake any steps necessary to encourage, facilitate, and build service capacity. Critical community needs include affordable and available acute care services, recruitment and retention of child psychiatrists, and development of residential care. This may necessitate a reassessment of the need to regulate private provider rates leading to an alignment of rates paid to CSA and Medicaid providers.

CSA Utilization Review

Local governments must be allowed to maintain the ability to develop and maintain their own utilization management processes that are approved by the State Executive Council.

Policy Statements

JUVENILE JUSTICE PROGRAMS Virginia Juvenile Community Crime Control Act (VJCCCA)

Overview

The General Assembly is urged to restore the 51 percent funding reduction to the Virginia Juvenile Community Crime Control Act (VJCCCA) program and to support an equitable and stable funding allocation process for the program. Established by the General Assembly in 1995 as an integral component of juvenile justice reform, the VJCCCA directs localities, in cooperation with their judges, to implement programs that address juvenile crime and public safety needs without increasing local or state confinements. Every city and county participates in the program. VJCCCA gives judges the ability to order first-time and less serious offenders to a services such as electronic monitoring, intensive counseling, and group homes. Such appropriate services reduce more costly and less suitable placements in local secure detention or state correctional facilities. It also effectively serves youth that are part of the non-mandated population under the Comprehensive Services Act (CSA). Sustained reductions or further erosion of VJCCCA state funding will give local governments no choice but to eliminate vital programs.

Cost Shift to local government

As a result of the funding reduction, judges will have no other alternative than to increase commitments to local secure detention and state facilities, or to commit more youth to foster care, which will create an entitlement to services under Comprehensive Services Act (CSA). The state thus has shifted an additional financial burden onto local government through the Comprehensive Services Act for juvenile justice services that previously were provided with state funds.

Policy Statements On Allied Issues of Importance to our Clients

Children's Health Care

- *The League supports funding for initiatives that would provide health care services for dental care, school nurses, and preventive services offer through, Medicaid, local health departments and school systems.*
- *The League supports the expansion of the children's health insurance program, FAMIS – Family Access to medical Security Insurance – to all children of the Commonwealth who are not eligible for Medicaid; and are not covered by other health insurance plans.*

Virginia League of Social Services Executives, Inc.

The Virginia League of Social Services Executives (VLSSE) is a professional association of the local departments of social services in the Commonwealth. Membership of the league is the agency directors and assistant director of local departments of social services. The VLSSE works with the state Department of Social Services, local governments, the state government Administration, the General Assembly and others to promote programs, policies, and processes that serve the citizens of the Commonwealth we are charged by law to serve.

For additional information contact

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